



MEMORANDUM

To: Chief Judge Mark L. Wolf
From: USPO Sean Buckley
Re: United States v. Maggio et al., 04-10231
Date: August 15, 2006

Chief Judge Wolf,

As Your Honor is aware, the government was required to submit to the Probation Office a statement of offense, including a complete record of the loss, in the Maggio case (Docket #04-10231) by April 26, 2006 for Peter Maggio, as he pled guilty on April 19, and by June 30, for the remaining defendants who pled guilty of June 23, 2006. The only statement of offense prepared by the government was submitted to the Probation Office on July 14, 2006. However, a review of the statement of offense by the Probation Office, and a recent visit with the government and the case agent, resulted in the determination that the loss information was incomplete, thereby prohibiting the Probation Office from preparing a complete and comprehensive presentence investigation for the Court. The government conceded that the loss information was incomplete and advised the Probation Office that additional information would be forthcoming within the next two weeks. As the Probation Office is to due to disclose the presentence reports this week, the Probation Office asked the government to request a brief continuance so as to allow for the inclusion of this additional loss information into the presentence reports. The government declined to request a continuance.

Therefore, the Probation Office is asking the Court if it would be amenable to continue the sentencing of the defendant's in the Maggio case for a brief three to four week period so as to allow the inclusion of this additional information into the presentence investigation and subsequent reports.